REMARKS/ARGUMENTS

Claims 1-21 and 29-32 are pending. The claims have not been amended.

Claims 1, 7-12, 14, 15, 18, 19, 20, 21, 30, 31, and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable by Koto et al (US 6,671,376) in view of Copeland (US 5,659,613).

In the response filed March 6, 2006, the claims were amended to more clearly point out that the claims are directed to a playback device to distinguish over Koto in a Section 102 rejection. For example, claim 1 recites an apparatus for playing back data stored on an information recording medium comprising "playback circuitry" having the elements as recited in the claim. See also independent claims 18, 19, 21, and 29.

Koto had been consistently cited in Fig. 7 for showing the recited elements comprising the recited playback circuitry. However, Fig. 7 does not show elements comprising a playback circuit. Koto's Fig. 7 is the detailed drawing for the video coder 100A shown in Fig. 1. Fig. 1 also shows a video decoder 200A. Arrow 120 in Fig. 1 can be a DVD (col. 9, lines 52-53) among other media (e.g., broadcast signal). Arrow 120 is shown as being output from video coder 100A and input to video decoder 200A. Therefore as best understood, the video coder 100A is the unit that produces the media, and the video decoder 200A is the unit that plays back the media. Video decoder 200A, therefore, would correspond to the "playback device" as recited in the pending claims, not video coder 100A.

The examiner relies on Copeland for teaching a playback device, and suggests that Copeland's playback device could be incorporated in Koto's video coder 100A to arrive at the pending claims. As best understood, the examiner seems to suggest that it would be obvious to incorporate Copeland's playback circuit into Koto's circuitry of Fig. 7 to arrive at the pending claims:

> "The ability to incorporate a playback system allows for a complete multimedia system. Therefore, it would have been obvious ... to use the data store system, as disclosed by Koto et al, and further incorporate a system that has a playback capability of the copyright information, as recited by Copeland et al." *O.A at page 3.*

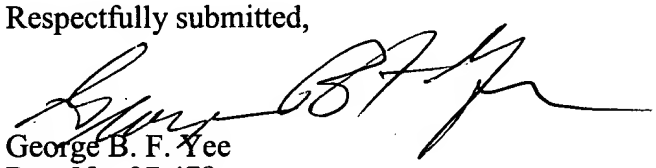
However, Koto already shows a video coder 100A (which performs a recording function) and a video decoder 200A which performs the playback function. It seems there would be no need to seek out the playback teachings of Copeland, and Koto clearly shows the video decoder 200A as being a component separate from video coder 100A. So it should, since video coder 100A is a recording function and video decoder 200A is a playback function which is separate and distinct from the recording function.

Moreover, the examiner merely asserts that it would be obvious to "incorporate a system that has a playback capability ... as recited by Copeland et al." The examiner does not suggest, nor would it be at all obvious, to modify Copeland's playback device to include the video coding elements shown in Koto's Fig. 7. The reason is that the elements of Koto's Fig. 7 are components for producing the very thing that is to be played back by Copeland's playback device (or even Koto's video decoder 200A).

The examiner is earnestly and respectfully requested to reconsider the pending claims in view of the foregoing discussion. The Section 103 rejection is believed to be overcome.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-324-6352 (direct line).

Respectfully submitted,



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